

TEXAS COMP UPDATE



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New research begins on potential impacts of transitioning to the most current edition of the American Medical Association Guides. Find out what the study may be able to show us.

Stay connected!

Sign up to our different email lists to get news and updates geared toward:

- Health care providers.
- Insurance carriers.
- Employers.
- First responders.
- Designated doctors.
- Attorneys.

Make sure to follow us on social media for more workers' compensation related content.



Texas Division of Workers' Compensation



TexasDWC



Texas Division of Workers' Compensation

A MESSAGE FROM

Workers' Compensation Commissioner Jeff Nelson

Dear Texas Comp Update readers,

Welcome to this quarter's newsletter. We're excited to share the latest developments at DWC and keep you informed about our key initiatives.

With the legislative session in full swing, our team is actively analyzing bills, providing insights to lawmakers, and ensuring our system remains robust and competitive. Alongside this, we're advancing several projects to enhance our services.

One significant effort is our study on adopting the latest American Medical Association (AMA) Guides to Impairment. We're evaluating its potential

impact to ensure it works for all our system participants. Additionally, we're launching two projects to assess the performance of our designated doctors. With recent rate increases for their exams, we're raising the bar—ensuring injured employees receive timely evaluations and that any additional testing is justified.

We're also improving accessibility by introducing guest Wi-Fi in our field offices. This upgrade will allow hearing participants to easily access electronic records, and we aim to complete this rollout across all locations in the coming months. Stay tuned for updates!

These initiatives reflect our commitment to making data-driven decisions that improve outcomes while continuously

monitoring their effectiveness. Your engagement is vital to this process. Many of our projects stem directly from your feedback, and we're always eager to hear your thoughts. If you have suggestions or concerns, please don't hesitate to reach out.

Thank you for your continued support and partnership in strengthening our system.

Sincerely,



Jeff Nelson

Commissioner of Workers' Compensation

DWC Form-032

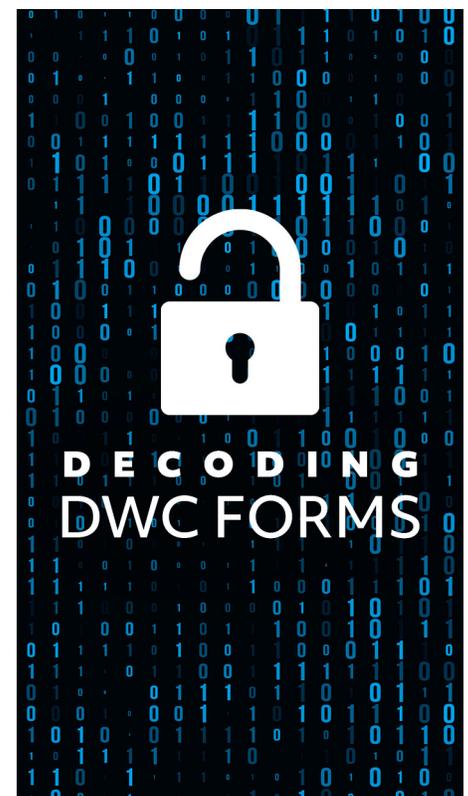
REQUEST FOR A DESIGNATED DOCTOR EXAMINATION

Incomplete information on this form can delay exams and lengthen the time for dispute resolution. To make sure designated doctor (DD) exams are completed accurately and timely you need to:

- Use the most recent version of the form (revised November 2024) and fill out all boxes.
- Send the completed form just once and include DWC and carrier claim numbers. This helps ensure we order an exam on the correct claim.
- Answer Part 3 ("Treating doctor information") so the DD can get information about the claimant's injuries quickly. Write

"No Treating Doctor" in Box 24 ("Treating doctor name") if the injured employee has no treating doctor.

- Answer the question about compensability determinations in Box 32. The answer can impact the accuracy of the DD's report, and the time needed to resolve disputes.
- If you are using this form to amend an order on an already-scheduled exam, submit the request as soon as possible to allow DWC time to approve and amend the order.
- Review [this video](#) for help completing DWC Form-032.





Award-winning safety

Each year DWC's Lone Star Safety award is presented to Texas employers with an exemplary commitment to workplace safety.

Congratulations to the most recent award winners:

- **Kalyn Siebert** – Gatesville.
- **Lauren Concrete** – 21 plants located throughout Texas.
- **Global Animal Products** – Amarillo.
- **Double R Brand Foods** – Lufkin.

Kalyn Siebert, a subsidiary of Heil Trailer, is receiving its first-ever Lone Star Award. Seventeen Lauren Concrete plants have successfully renewed their awards, while four facilities are receiving honors for the first time. Global Animal Products' Washington St. location is receiving its first award, joining the company's Airway Blvd. location which was previously recognized in October 2022. Double R Brand Foods is a first-time winner of the Lone Star Award.

To qualify for the Lone Star Award, employers must maintain a proven safety program with injury rates below the national average for the previous three years and have

no work-related deaths within the prior 12 months. For information, visit the Lone Star Safety Program [webpage](#) or [apply today!](#)

To be eligible for a Lone Star Award, companies must also participate in the national [Safety and Health Achievement Recognition Program](#) (SHARP). Companies with a SHARP certification:

- Show their commitment to employee and customer safety.
- Reduce costly workplace injuries and illnesses.
- Receive an exemption from programmed OSHA inspections.

Interested in creating an award-winning safety program?

DWC provides free and confidential on-site consultation services through the Occupational Safety and Health Consultation Program (OSHCON). Our [OSHCON program](#) helps Texas companies comply with OSHA regulations and create effective safety programs.

To schedule a free consultation, call 800-252-7031, option 2, email OSHCON@tdi.texas.gov, or fill out an OSHCON [request form](#).

Upcoming events

April 9 – Incidents and near misses webinar.

April 25 – DD musculoskeletal exam workshop.

May 15 – MMI exams by telemedicine webinar.

May 16 – DD 101 workshop.

May 20 – MMI exams by telemedicine webinar.

June 6-7 – DD and certifying doctor required certification training.

June 18 – CompCourses: Top 10 OSHA violations webinar.

June 20 – DD extent of injury webinar.

July 14 – DD case-based webinar series begins.

July 16 – Preparing for an OSHA inspection webinar.

July 22 – Health care provider Boot Camp Part 2 begins.

August 15 – DD musculoskeletal exam workshop.

August 20 – CompCourses: Health care provider roles in the Texas workers' comp system webinar.

[See all events](#)



New modernization tools

Recently DWC introduced two new tools – the Benefits Estimator and the Employer E-File for filing non-subscriber forms. Both tools are gaining a lot of traction.



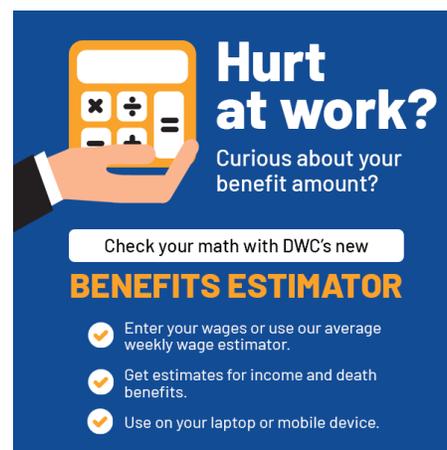
Employer E-File

[Employer E-File](#) is DWC's new online reporting tool for non-subscribers. In Texas, private employers can choose whether to provide workers' compensation insurance coverage. Employers that choose not to provide coverage to their employees are known as non-subscribers. Employers that end their workers' compensation insurance coverage also become non-subscribers on the date the policy ends.

Employers and their agents must report this status to DWC each year. Through the new Employer E-File, you can easily file, save, and

manage annual non-subscriber notices online from any device, 24 hours a day. The 2025 non-subscriber reporting period ends April 30, and so far 2,053 stakeholders have created a login for the portal, submitting 17,338 non-subscriber forms. This far outpaces the number of forms received in previous years. Non-subscribers can also use Employer E-File to report workplaces injuries, illnesses, and deaths as Texas Law requires.

Learn more about Employer E-File and set up your username and password.



Benefits Estimator

Another new tool debuted this year is the [DWC Benefits Estimator](#) which helps injured employees and their families quickly estimate

their income and death benefits. It works on both laptops and mobile devices.

Since its introduction, stakeholders have used the Benefits Estimator more than 1,895 times.

Types of benefits you can estimate:

Income benefits: Benefits paid to an injured employee who is unable to work due to a work-related injury. By entering wages or using the average weekly wage (AWW) calculator, the tool will estimate the weekly income benefits the employee may be able to get while they recover, including:

- Temporary income benefits.
- Impairment income benefits.
- Supplemental income benefits.
- Lifetime income benefits.

Death benefits: For families who have lost a loved one due to a workplace injury, this tool can help estimate the death benefits that may be payable to surviving dependents.

This tool provides estimates based on the wage information provided. The new Benefits Estimator is on the TDI website. If you need help, contact DWC at 800-252-7031.

September 29-30, 2025 | San Marcos



Texas Workers' Compensation CONFERENCE

decoding comp

GET THE LATEST ON:

Managing workers' comp outcomes using data analytics.

Concussion, brain injury, and mental disorders.

The role of artificial intelligence in workers' comp.

Ethics of confidentiality.

Workplace violence preparedness.

REGISTRATION
OPENS SOON!

JOIN US SEPT. 29-30



Embassy Suites San Marcos

Learn more:



Health and safety resources



April – National Distracted Driving Awareness Month

- [Driving distractions fact sheet.](#)
- [Occupational driving safety program checklist.](#)



May – National Electrical Safety Month

- [Electrical safety fact sheet.](#)
- [Electrical safety training program.](#)



June – National Trench Safety Month

- [Excavation safety training program.](#)



AMA Guides study

DWC is beginning a new study on the potential impacts of transitioning to the 6th edition of the American Medical Association (AMA) Guide from the 4th edition which Texas currently uses. The Workers' Compensation Research and Evaluation Group has included this report as part of their [research agenda](#) for this year, and this topic is included in the Office of the Medical Advisors' [Annual Audit Plan](#).

Texas requires doctors to use the 4th edition of the AMA Guides to determine the level of permanent impairment an injured employee has and subsequently the amount of income benefits they are eligible to receive. Thirty-two other states have either adopted or are allowed to use various versions of the guidelines.

In 1999, the Texas Legislature instructed the Texas Workers' Compensation Commission (now the Division of Workers' Compensation) to use, what was then, the most current edition of the AMA Guides, the 3rd edition.

The legislature has also given the Commissioner of Worker's Compensation discretionary authority about whether to adopt a different or newer edition of the Guides. Texas adopted the 4th edition of the AMA Guides in 2004 but has not adopted subsequent versions.

The AMA has since published a 5th edition in 2001 and a 6th edition in 2008. Regularly scheduled updates to the 6th edition followed in 2021, 2022, 2023, and 2024. To date, 19 other states and the federal workers' compensation program use the most current 6th edition Guides.

While in Texas, changes to the standard for assessing impairment ratings don't automatically happen when a new edition of the Guides is published, we do want more information about what impact adopting the 6th edition, 2024 Guides could have.

Look for more updates on both research projects later this year.

Staff spotlight

Jess Bergeman's dedication to justice was known far and wide as a child. "My mother would tell you that I was the neighborhood sheriff; defusing playground squabbles and standing up to any bullies foolish enough to act up if I was around," recalls Bergeman.

After law school, she began practicing as a prosecutor in the Cook County (Chicago) State's Attorney's Office for nine years. Bergeman then moved to Texas, joined an administrative agency, and became immersed and invested in Texas state governance.

In her current position as DWC's Special Prosecutor, she gets to use her skills and inquisitive nature in a way that protects a critical safety net for workers in Texas. "I believe in the philosophy that a rising tide floats all boats, but a sinking ship will take down those around

it. If by prosecuting fraudsters, I can be part of a system that helps stabilize an individual or a family in crisis, then I've helped—at least in a small way—to protect an entire community."

Learn more about DWC's [Fraud Unit](#).



Jessica Bergeman
DWC Special Prosecutor



The Brenda Foster Austin Field Office

The new Brenda Foster Austin Field Office is officially open and has a full docket of contested case hearings.

The new field office is named after Brenda Foster, a DWC employee who has served Texas for more than five decades. Foster has worked across many departments during her time at DWC, but currently works in Hearings.

ON YOUR RADAR

HYBRID QUARTERLY STAKEHOLDER MEETING



In an effort to create more networking opportunities for our stakeholders, we are hosting a hybrid [quarterly meeting](#) this summer. Join us in Austin or on Zoom to hear updates about DWC initiatives and meet and greet other industry stakeholders.

REGISTRATION OPENS SOON



Registration for the Texas Workers' Compensation Conference opens in April. This year's conference on "Decoding Comp" explores some of the more complex aspects of workers' compensation, along with trends and issues to watch. Learn more on the [TDI website](#).

FREE CONTINUING EDUCATION CREDIT



This year DWC continues to offer free continuing education credit to stakeholders through our CompCourses webinars. Join us for courses on OSHA violations, health care provider roles in the system, and employer responsibilities. Learn more on the [TDI website](#).